

Title

KAHNAWÁ:KE DISORDERLY CONDUCT & NUISANCE LAW

K.R.L. c. D-1

[Enacted by MCR #30/1965-66 on 10 Onerahtókha/April 1965]
[Amended by MCR #5/1965-66 on 17 Onerahtokó:wa/April, 1965]]
[Amended by MCR #13/1983-84 on 31 Kentenha/October, 1983]

Preamble

WHEREAS the Council of the Kahnawá:ke Indian Band at a meeting held this 10th day of April 1965 make the following by-law pursuant to paragraphs (c) and (d) of S. 80 of the Indian Act; and,

SECTION I

"Purpose"

1. PURPOSE

1.1 This by-law is to provide for the prevention of disorderly conduct and nuisance on the Kahnawá:ke Indian Territory in the Province of Quebec.

"Definitions"

2. DEFINITIONS

2.1 In this by-law:

"Peace Officer"

"Peace Officer" - includes any member of the Kahnawá:ke Police Force or the Kahnawá:ke Peacekeepers having jurisdiction on the Kahnawá:ke Indian Territory.

"Public Place"

"Public Place" - includes any place to which the public has access as of right or by invitation expressed or implied.

SECTION II

"Prohibited Conduct"

3. PROHIBITED CONDUCT

3.1 No person shall cause a disturbance in or near a public place,

(a) by fighting, screaming, shouting, swearing, singing, or using insulting or obscene language;

(b) by being drunk or;

(c) by impeding or molesting other persons.

- 3.2 No person shall openly expose or exhibit an indecent exhibition in a public place or commit any act in a public place which offends against public decency or order.
- 3.3 No person shall loiter in a public place or in any way obstruct persons who are there.
- 3.4 No person shall disturb the peace and quiet of the occupants of a dwelling house by discharging fire-arms, or by other disorderly conduct in a public place or dwelling house.
- 3.5 No person shall without lawful excuse, the proof of which lies upon him, prowl or liter by day or by night upon the property of another near a dwelling house, situated on that property, without the owner's permission either expressed or implied.

SECTION III

"Penalties"

4. PENALTIES

- 4.1 Any person who violates any provision of this by-law shall be guilty of an offence and shall be liable to summary conviction to a fine not exceeding \$100.00 or imprisonment for a term not exceeding 30 days or both fine and imprisonment.

"Enforcement"

5. ENFORCEMENT

- 5.1 Any Peace Officer shall have the power and authority to arrest any persons who violate any of the provisions of this by-law.
- 5.2 No person shall resist or willfully obstruct a peace officer in the execution of his duty or any person lawfully acting in aiding such an officer.
- 5.3 No person shall omit without reasonable excuse to assist a peace officer in the execution of his duty in arresting a person or in preserving the peace after having reasonable notice that he is required to do so.